

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SALATHIEL REZAR BROWN,

Petitioner,

Case No. 2:16-cv-12543

v.

Hon. Avern Cohn

CATHERINE S. BAUMAN,

Respondent.

_____ /

ORDER GRANTING PETITIONER'S MOTION TO AMEND
AND FOR AN EXTENSION OF TIME [Doc. #13]

This is a habeas corpus case under 28 U.S.C. § 2254. Petitioner commenced this action on July 1, 2016, by filing a pro se application for the writ of habeas corpus challenging his Wayne County, Michigan convictions for second-degree murder and two firearm offenses. The sole ground for relief reads:

A juror at my trial discussed my case (on an evening during the trial) at a dinner party with a prosecutor (not the prosecutor at my trial). Though the trial court judge dismissed the juror, neither the judge, prosecutor, nor even my lawyer questioned the remaining jurors concerning possible impermissible/prejudicial discussions the ousted juror may have had with the other jury members prior to being ousted.

Pet., page 6.

On January 18, 2017, newly retained counsel for Petitioner moved for leave to amend the habeas petition. Counsel for Petitioner also seeks an extension of time (until March 18, 2017) to review the case, perform legal research, interview witnesses, converse with Petitioner, and prepare the amended petition. Counsel states that he contacted an attorney for respondent Catherine S. Bauman and that the attorney

indicated he has no objection to the motion, provided that he waives no defenses to Petitioner's arguments by doing so.

Given the parties' agreement regarding Petitioner's request, the Court grants Petitioner's motion to amend the petition and for an extension of time (Doc. #13), but reserves judgment on whether any claims in the amended petition will be time-barred. Petitioner shall file his amended petition no later than March 18, 2017. Although the responsive pleading and state-court record currently are due on April 18, 2017, see Doc. #5, the Court will extend that deadline to fifty-six days from the date of the amended petition. Petitioner shall have twenty-eight days from the date of the responsive pleading to file a reply.

SO ORDERED.

S/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated: March 6, 2017